by demanding a hearing, in writing, within 10 days after notification.

If, after the hearing, the Board approves the license, the Department will issue it within 14 days.

If the Board upholds the denial, the Board will provide a detailed reason for the denial and the organization's license fee will be refunded.

13. LICENSE SUSPENSION OR REVOCATION

Proceedings to suspend or revoke a license will be initiated by the Board in the same manner as a summons is served. The notice will state the alleged violations which constitute the grounds for the suspension or revocation.

The Department may temporarily suspend the license for a period of no more than two weeks when any such proceeding is pending and will notify the licensee of the dates of the temporary suspension.

If an organization has not filed a complete and accurate financial report, the Department may refuse to renew their license or may suspend the license until the report is properly filed.

14. PENALTIES FOR VIOLATION

The maximum penalty for a criminal violation is a $1000 fine, 30 days imprisonment, or both.

The district attorney in a county of an actual or potential violation may commence an action in the name of the State of Wisconsin to restrain any violation. The court may, prior to entry of final judgement, make such an order or judgement as necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the violation.

A. Is your proposed fund raising event a raffle? See section # 1.

B. Is your organization eligible for a raffle license? See section # 2.

C. What do raffle licenses allow the organization to do? See sections # 4 and # 5.

D. How must the raffle be conducted? See sections # 7 and # 8.

E. What reports are needed? See section # 10.

F. What if your organization has to make a change to its license? See section # 11.

G. How soon can you expect to find out about your license? See section # 12.

H. What if your organization breaks the law? See sections # 13 and # 14.

GUIDELINES FOR RAFFLES IN WISCONSIN

State of Wisconsin
Department of Regulation and Licensing
Bingo Control Board
P.O. Box 8935
Madison, Wisconsin 53708

TELEPHONE

608-266-2775

233 (Rev. 4/82)

1. WHAT IS A RAFFLE?

A raffle is a game of chance for which tickets are sold and a drawing for prizes is held.

While "door prizes" are raffles and require licensing, jar tickets and other instant lottery-type tickets are not raffles and are ILLEGAL in the State of Wisconsin.

2. ELIGIBILITY FOR RAFFLE LICENSE

Local *religious, charitable, service, fraternal* or *veterans'* organizations, or other organizations to which contributions are *tax deductible,* are eligible for raffle licenses.

Additionally, the organization must have been in existence at least one year prior to application or must be chartered by a state or national organization which has been in existence for at least three years.

3. LICENSE APPLICATION FORMS

License application forms may be obtained by writing to the Board at the address shown on the cover of this pamphlet.

4. TYPES OF RAFFLES

A "regular raffle" is a raffle for which tickets are sold *in advance* of the drawing date.

The drawing is held on a specified date and tickets may be sold for no more than 120 days in advance of that date. Tickets may also be sold on the day of the drawing.

A "special raffle" is a raffle for which tickets are sold only on the *same day* as the drawings are held. Prizes must be awarded on that day.

5. LIMIT ON LICENSES

An organization may be issued two regular licenses in a calendar year. Each license allows the organization to hold a drawing only on the date specified on the license.

An organization may be issued one special license each year. The license is effective for a 12-month period and allows the organization to hold one special raffle in each calender week.

6. LICENSE FEES

The fee for each raffle license is $5.00.

7. CONDUCT OF RAFFLES

No raffle ticket may exceed $5.00 in cost.

All raffle drawings must be held in public.

Raffle tickets may be sold by any person authorized by the licensed organization.

All prizes must be awarded; the purchaser of a ticket need not be present at the drawing to win a prize.

8. RAFFLE TICKETS

All tickets used for *regular* raffles must be identical in form and include:

a. the organization's raffle license number;
b. the sponsoring organization's name and address;
c. the price of the ticket;
d. the date, time, and place of the drawing;
e. a place for the purchaser to enter his or her name and address.

Any type of ticket may be used for *special* raffles.

9. USE OF RAFFLE PROFITS

All raffle profits must inure to the organization conducting the raffles.

No salaries, fees, awards, or profits may be given to any individual or organization in connection with the conduct of a raffle. (This does not prohibit the printing of raffle tickets or the purchase of prizes or equipment needed for the raffle.)

10. FINANCIAL REPORT

Each organization which has conducted a raffle must file a financial report with the Board between January 1 and April 15 of the year following the conduct of the raffle(s). Report forms are provided by the Board with approved licenses.

11. AMENDMENTS TO LICENSE

By amendment, an organization may chang facts reported on their license, such as the dat or place of the raffle drawing.

An amendment must be filed on a form provide by the Board and accompanied by a $3.00 fee

12. LICENSE ISSUANCE OR DENIAL

All applications are reviewed as soon as possibl after their receipt. The Department of Regulatio and Licensing will issue or deny the license withi 30 days of its filing.

If issued, a copy of the license will be sent to th organization's mailing address. The license mu be conspicuously displayed at the place of th drawing at all times during the drawing.

If the license is denied, the organization will b notified of the denial. The organization ma appeal the denial to the Bingo Control Boa

State of Wisconsin \ DEPARTMENT OF REVENUE

INCOME, SALES, INHERITANCE AND EXCISE TAX DIVISION

4638 UNIVERSITY AVENUE
(608) 266-1911

ADDRESS MAIL TO
POST OFFICE BOX 8910
MADISON, WISCONSIN 53708

August 1983

RAFFLE TICKET RECEIPTS SUBJECT TO SALES TAX

New Law Imposes Sales Tax On Raffle Receipts

In July, 1983 the Wisconsin Legislature enacted Wisconsin Act 27. One of the provisions of the Act imposes a 5% sales tax on gross receipts from the sale of raffle contest tickets in Wisconsin on or after September 1, 1983. The tax applies to sales of tickets on or after September 1, 1983 regardless of when a raffle license is obtained from the Department of Regulation and Licensing or when sales of tickets for a raffle first commenced. Tickets sold before September 1, 1983 for a raffle to be conducted on or after that date are not taxable.

The organization conducting the raffle may purchase without tax "for resale" the items it awards as prizes to raffle winners.

Seller's Permit Required

Persons who intend to conduct a raffle (who do not have a Seller's Permit) should apply for a Seller's Permit at least 3 weeks before the tickets are to be sold. Application for a permit is made on a Form A-101, "Application for Permit". This form may be obtained from any Department of Revenue office or by writing to the Wisconsin Department of Revenue, P.O. Box 8902, Madison, WI 53708. Complete the application form and mail it with $2 to the address shown on the form.

If an organization conducting a raffle already has a Seller's Permit for some other purpose, **do not** obtain another permit to conduct a raffle. An organization should not have more than one Seller's Permit.

Occasional Sale Exemption For Non-Profit Organizations

A non-profit organization's "occasional sale" status for sales tax will not be affected by obtaining a Seller's Permit to conduct a raffle. If such organization's other non-raffle activities qualify for the occasional sales exemption, the exemption will apply to such other activities even though it obtains a Seller's Permit to report and pay tax on its raffle receipts (a description of occasional sales is on page 2 of this notice).

Example: A church sells $10,000 of raffle tickets. It also sells meals of $5,000 but the sale of meals does not exceed the occasional sale standards described on page 2 of this notice. The church must have a Seller's Permit. It must file a sales and use tax return (Form ST-12) and report $15,000 ($10,000 + $5,000) of gross receipts on line 1, a deduction of $5,000 (for meals) on line 2.H and 2.I and $10,000 of taxable receipts on line 3. The sales tax is $500, ($10,000 x 5%) which is entered on line 4. The remaining lines 5-10 of the return should also be completed as needed.

Do You Have Questions?

If you have questions about the sales tax status of your raffle receipts write to: Wisconsin Department of Revenue, P.O. Box 8902, Madison, WI 53708, or call 608-266-2776.

OCCASIONAL SALES

The "occasional sales" of property and services may be taxable or exempt from sales tax as described below. (Note: A non-profit organization's "occasional sale" status will not be affected by obtaining a Seller's Permit to conduct a raffle. If an organization's other non-raffle activities qualify for the occasional sales exemption as described below, the exemption will apply to its other activities even though it obtains a Seller's Permit to report and pay tax on its raffle receipts.)

Exempt Occasional Sales By Non-Profit Organizations: Sales by neighborhood associations, churches, social clubs, civic groups, garden clubs and other non-profit organizations which conduct one or more fund raising events during the year are exempt occasional sales under the following conditions:

1. Admissions or Tickets. Sales of admissions or tickets to an event conducted by non-profit organizations are exempt occasional sales if: (a) the event does not involve professional entertainment; (b) the organization is not engaged in a trade or business and is not otherwise required to have a seller's permit; and (c) the organization did not conduct more than 3 events involving sales of admissions or tickets in the previous calendar year, no more than 3 are anticipated during the current calendar year and such events do not fall on more than 9 different days or 9 consecutive 24-hour periods within the calendar year. If 3 or less events are anticipated, but a fourth event takes place during the year, only the fourth event is taxable. However, in the following year, all events are taxable, even though there are 3 or less of such events in that year.

2. Meals, Food and Beverages. Sales of meals, food, food products and beverages for direct consumption at an event (e.g., church supper or refreshment stand at a fair) by a non-profit organization are exempt occasional sales if: (a) the organization is not engaged in a trade or business and is not otherwise required to have a seller's permit; and (b) the organization conducted no more than 3 events involving sales of meals, food, food products and beverages in the previous calendar year, no more than 3 are anticipated during the current calendar year and such events do not fall on more than 9 different days or 9 consecutive 24-hour periods within the calendar year. If 3 or less events are anticipated, but a fourth event takes place during the year, only the fourth event shall be taxable. However, in the following year, all events shall be taxable, even though there are 3 or less of such events in that year.

3. Other Sales of Tangible Personal Property and Services. Sales of tangible personal property (e.g., light bulbs, Christmas trees and candy) and services (e.g., parking), other than sales covered by parts 1 and 2 above, by a non-profit organization are exempt occasional sales if: (a) the organization is not engaged in a trade or business and is not otherwise required to have a seller's permit; and (b) the gross receipts from these sales do not exceed $1,000 within a calendar year.

If a non-profit organization has sales described in part 3 exceeding $1,000 annually, it is subject to tax on all of its receipts from sales of property and taxable services, unless the Department of Revenue determines that the sales of property or services are isolated and sporadic and that the organization is not engaged in a part-time business or a partial vocation or occupation. Any organizaton may request a determination from the department as to whether it qualifies for the exemption. Requests for such determinations should be sent to the Wisconsin Department of Revenue, P.O. Box 8902, Madison, WI 53708.

Each category of sale listed in parts 1, 2 and 3 above is treated separately. If an organization exceeds the exempt occasional sales standard in any category, it must obtain a seller's permit and pay a sales tax on sales in all categories. For example, if an organization engages in separate activities described in parts 1, 2 and 3 during a year and has a fourth "admissions" event (but only one "meal" event and $500 receipts from sales of other tangible personal property at that time), it must obtain a seller's permit and pay the tax on receipts from the fourth "admissions" event and all subsequent receipts from "meal" events and from subsequent sales of other tangible personal property or services. If the $1,000 standard described in part 3 is exceeded, all receipts from sales of property or services described in part 3 and all subsequent receipts from admissions and meals are taxable.

APPLICATION FILING

Please type the application and do not fold it. If this is an original license, submit the application with the required fees, supporting documents, and facsimile tickets.

If your organization has held a license in the past, check the "renewal" box on the form. Submit it with the required fees and facsimile tickets. You may speed processing of your application by sending with it a self-addressed stamped envelope. The envelope must be at least 9" x 12" and at least 3 ounces postage is required for its return.

POSTAL REGULATIONS

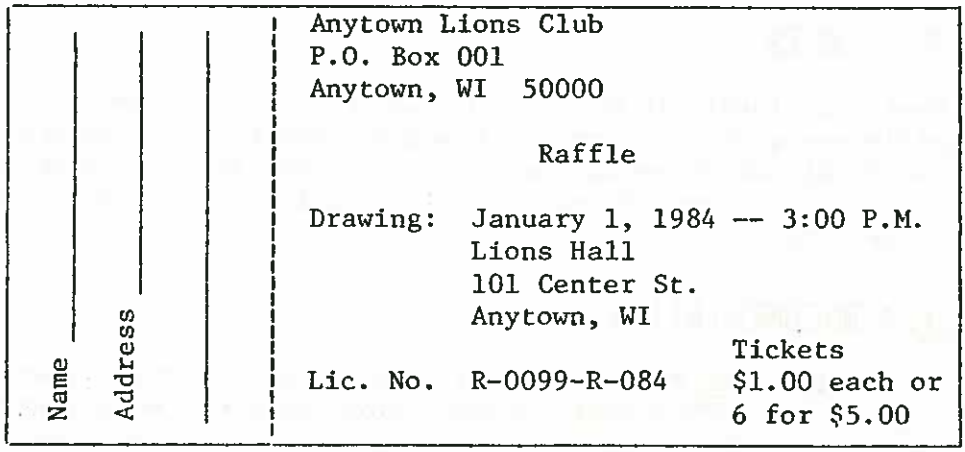
Federal postal regulations prohibit the advertisement of raffles and distribution of raffle tickets through the mail.

PRIZES

Fermented malt beverages and intoxicating liquors may be awarded as prizes if the raffle licensee holds a valid liquor license. All provisions of Wisconsin law regarding the presence of and sale to minors would apply. For further information, contact the Alcohol and Tobacco Enforcement section at the Department of Revenue (608-266-6701).

SAMPLE RAFFLE TICKETS

REGULAR RAFFLES



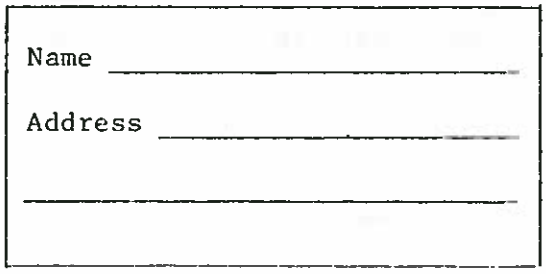
Date, time and place of drawing

Space for purchaser's name & address

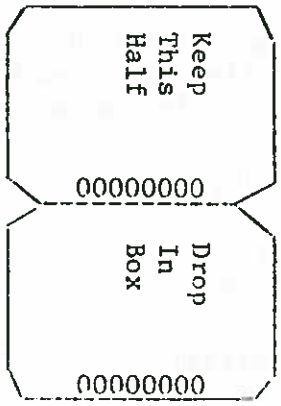
License number

Cost of ticket

SPECIAL RAFFLES



or



State of Wisconsin \ DEPARTMENT OF REGULATION & LICENSING

Anthony S. Earl
Governor

Barbara Nichols
Secretary

1400 E. WASHINGTON AVENUE
P.O. Box 8936
MADISON, WISCONSIN 53708
608 266-2112
608 266-2775

RAFFLE LICENSE

ENCLOSURES

1. Raffle License Application, R-1.
2. Guidelines for Raffles in Wisconsin, R-3.

LICENSES PERMITTED

Your organization may be issued two regular raffle licenses and one special raffle license in each calendar year. Application may be made for all three licenses by completing the appropriate information on the enclosed form. "Regular" and "special" raffles are described in the "Guidelines" pamphlet.

FACSIMILE TICKETS

Submit a sketch or facsimile of the proposed ticket to be used for each regular raffle you wish to license. A sample ticket on the reverse side illustrates the statutory requirements as explained in the "Guidelines" pamphlet. The license number issued your organization will be different on each license issued.

ELIGIBILITY DOCUMENTATION

If your organization has not previously been issued a raffle license, submit a copy of its articles of incorporation, by-laws, constitution, or charter. Also, if "other organization to which contributions are tax deductible" is checked in #2 on the application form, submit a copy of the organization's Letter of Determination issued by the Internal Revenue Service.

ANNUAL REPORT

If your organization has been previously licensed, it must be up-to-date on filing its annual raffle report. The report is due before April 15 of the year following the conduct of any raffles.

LICENSE FEES

The fee for each regular raffle is $5.00; the fee for the special license is $5.00.

SUBMIT COMPLETED LICENSE APPLICATION WITH REQUIRED FEES. MAKE CHECK PAYABLE TO THE WISCONSIN DEPARTMENT OF REGULATION AND LICENSING. PLEASE TYPE APPLICATION—DO NOT FOLD.

RAFFLE LICENSE APPLICATION
R-1 (Rev. #2 9/82) 246
Chapter 163, Wisconsin Statutes

Fee Required:
Each Regular Raffle – $5.00
Special License – $5.00
Amendment – $3.00

STATE OF WISCONSIN
Department of Regulation and Licensing
Bingo Control Board
P.O. Box 8935
Madison, Wisconsin 53708

Check one

☐ Original License (submit copy of organization's articles of incorporation, constitution, by-laws or charter)
☐ Renewal of License Number _____
☐ Amendment to License Number _____

Information requested is required for processing this application.

1. Organization Name

2. Organization type-check one:
☐ Religious ☐ Fraternal
☐ Charitable ☐ Veterans
☐ Service
☐ Other organization to which contributions are tax deductible (if original license, submit copy of IRS Letter of Determination)

3. Organization Mailing Address (street, city, zip code)

4. Status-check one:
☐ Incorporated in Wisconsin as a Nonprofit Corporation
☐ Organized in Wisconsin as a Nonprofit Organization

5. Date of Incorporation, Organization, or Charter

6. Regular Raffle #1

Date and Time of Drawing	Address of Raffle Drawing (street, city, zip code)	County

7. Regular Raffle #2

Date and Time of Drawing	Address of Raffle Drawing (street, city, zip code)	County

8. Special Raffle License

Date of First Drawing	Addresses of Raffle Drawings (street, city, zip code)	County

9. Officers of Organization Listed in #1

Title	Name	Address (street, city, zip code)

10. Basic Aims or Objectives of the Organization (organization's purpose for existence)

11. Designated Responsible Member for Raffle Events

Member's Name | Telephone: Residence

Member's Address (street, city, zip code) | Telephone: Business

12. Check List
☐ 1. Fees enclosed.
☐ 2. Application signed by designated member.
☐ 3. Facsimile tickets for regular raffles enclosed.
☐ 4. Articles, constitution, Letter of Determination enclosed as needed.
☐ 5. Annual raffle reports up-to-date.

13. Signature of Designated Responsible Member

I swear under penalty of perjury that the information provided on this application is true to the best of my knowledge and belief.

Date Signature

Do Not Write In Space Below

FOR OFFICE USE ONLY

14. Date Application Received | 15. Approved by Department | 16. License Number